

## COUNTY OF FAIRFAX, VIRGINIA

### SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

TRUSTEES OF ST. JOHN'S EPISCOPAL CHURCH / ARIRANG SENIOR COMMUNITY SERVICES, SPA 85-S-053-04 Appl. under Sect. 3-103 of the Zoning Ordinance to amend the previously approved SPA 85-S-053-3 to permit an adult day care. Located at 5649 Mt. Gilead Rd., Centreville, 20120, on approx. 4.42 ac. of land zoned R-1, HD,WS, and HC. Sully District. Tax Map 54-4 ((1)) 24B and 25A Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on April 20, 2016; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. There is a favorable staff recommendation, and the Board adopts their rational in support of the application.
3. One special permit use is being discontinued, and a less intense special permit use is being substituted. There is no physical change proposed to the property.
4. The application meets the standards for a special permit.
5. The applicant has read, understands, and concurs with the development conditions.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, St. John's Episcopal Church and Arirang Senior Community Services, and is not transferable without further action of this Board, and is for the location indicated on the application, 5649 Mount Gilead Road, consisting of 4.42 acres, and is not transferable to other land.

2. This Special Permit is granted only for the purpose(s), structures and/or use(s) (church with adult day care facility) indicated on the special permit plat, "Special Permit Plat, St. John's Episcopal Church," originally prepared by Reid M. Dudley, dated March 24, 1998, as revised on January 21, 2016.
3. A copy of this Special Permit and the Non-Residential Use Permit (Non-RUP) shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Permit Amendment is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The maximum seating capacity shall not exceed 450 seats.
6. All parking shall be on site and in the parking areas designated on the Special Permit plat.
8. Upon issuance of a Non-RUP for the adult day care, the maximum enrollment for the adult day care shall not exceed 85 participants.
9. The hours of operation for the adult day care shall be from 9:00 a.m. to 5 p.m. for participants.
10. No Transitional Screening/Barrier shall be required along the southwest lot line (Mt. Gilead) adjacent to the property zoned PDC.

No Transitional Screening/Barrier shall be required along the northwest lot line (Wharton Lane), because there are no building or parking additions in this area, and because any additional screening would encroach upon existing marked graves.

The twelve (12) feet of Transitional Screening shall be provided along the northeast lot line and southeast lot line. The twelve (12)-foot transitional screening shall be heavily planted and continue to meet the planting requirements of Article 13 as shown on the approved special permit plat. The barrier requirements shall be modified so as to allow the continuation of the zig zag split rail fence in lieu of barrier D, E, or F. The existing vegetation may be used to partially satisfy this requirement if the vegetation is maintained and/or supplemented to meet the twelve (12)-foot screening to the satisfaction of the Urban Forest Management.

11. The driveway connecting Wharton Lane with the eastern parking area shall be marked with signage indicating one-way traffic.
12. Any new parking lot lighting installed shall be in accordance with the outdoor lighting standards as set forth in Sect. 14-900 of the Zoning Ordinance. Any proposed parking lot light fixtures shall be fully shielded. Exclusive of security lighting, all outdoor lighting shall be turned off within half an hour of the end of any night time meetings and/or services. Motion detectors may be installed on parking lot and security lighting as a security measure.
13. Best Management Practices shall be provided in accordance with the Water Supply Protection Overlay District of the Zoning Ordinance and the Public Facilities Manual.
14. The gravel surfaces shall be maintained in accordance with Public Facilities Manual standards.
15. The Floor Area Ratio (FAR) shall not exceed 0.0467.
16. Subject to Virginia Department of Transportation and DPWES approval, the Applicants shall dedicate and convey in fee simple to the Board of Supervisors at time of demand, right-of-way dedication for the extension of Leeland Road per the adopted Comprehensive Plan to a maximum of ten feet parallel to the southeastern property line of Parcel 25A. In addition, 15-foot wide ancillary easement to facilitate construction shall be provided parallel to the dedicated right-of-way.
18. Prior to the issuance of a Non-RUP for the adult day care, the applicant shall obtain an approved shared parking agreement or parking reduction. If a shared parking agreement or parking reduction is NOT approved by DPWES, the number of seats in the sanctuary and/or the number of participants in the adult day care shall be reduced to correspond to a number that can be supported by the parking spaces provided on site as determined by DPWES.

These conditions incorporate and supercede all previous conditions. This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional

time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Hart seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

A Copy Teste:

A handwritten signature in cursive script, appearing to read "Thompson", is written over a horizontal line.

Kathleen Thompson, Deputy Clerk  
Board of Zoning Appeals